

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE CLAIMS

Independent claim 24 has been amended to clarify the feature of the present invention whereby the image outputting apparatus is connected to a network, and includes a plurality of units for performing a plurality of functions and a control device having a memory to store software for controlling the plurality of units.

In addition, claim 27 has been amended to clarify that the checking device detects odor around the image outputting apparatus, as supported by the disclosure of the odor or smell detecting means 52 shown in Fig. 3 and described in the specification at, for example, page 25.

Still further, the claims have been amended to make some minor grammatical improvements and to correct some minor antecedent basis problems, including the antecedent basis problem pointed out by the Examiner with respect to original claim 26.

It is respectfully submitted that no new matter has been added, and that the claims are in full compliance with the requirements of 35 USC 112, first and second paragraphs.

Accordingly, it is respectfully requested that the amendments to the claims be approved and entered, and that the rejections under 35 USC 112 be withdrawn.

THE PRIOR ART REJECTION

Claims 24-50 were rejected under 35 USC 102 as being anticipated by USP 5,625,757 ("Kageyama et al"); claim 26 was rejected as being obvious in view of the combination of Kageyama et al and USP 5,970,217 ("Nakamura"); and claim 27 was rejected as being obvious in view of the combination of Kageyama et al and USP 3,955,073 ("Carew et al"). These rejections, however, are respectfully traversed.

According to the present invention as recited in amended independent claim 24, apparatus administrating system is provided which comprises: (i) an image outputting apparatus connected to a network, and including a plurality of units for performing a plurality of functions and a control device having a memory to store software for controlling the plurality of units; and (ii) an administrating apparatus connected via the network with the image outputting apparatus to enable information to be at least one of transmitted and received between the image outputting apparatus and the administrating apparatus, such that the administrating apparatus is enabled to conduct maintenance administration for the image outputting apparatus through the network. In addition, as recited in amended independent claim 24, the administrating apparatus obtains working information regarding a working condition of the image outputting apparatus through the network and renews the software stored in the memory

of the control device of the image outputting apparatus through the network in accordance with the obtained working information so that the plurality of functions and the plurality of units of the image outputting apparatus are maintained operable in an updated state.

With this structure, the administrating apparatus of the claimed present invention can renew the software stored in the memory of the image outputting apparatus through the network in accordance with the obtained working information so that the plurality of functions and the plurality of units of the image outputting apparatus are maintained operable in an updated state, as described in detail at, for example, page 32, line 1 to page 34, line 4 of the specification.

In the Office Action, the Examiner asserts that Kageyama et al discloses at column 55, line 57 to column 56, line 20 thereof the feature of the present invention whereby working information is obtained through a network and the software controlling a plurality of functions and a plurality of units of an outputting apparatus is renewed through the network in accordance with the obtained working information so that the plurality of functions and the plurality of units of the image outputting apparatus are maintained operable in an updated state.

It is respectfully submitted, however, that Kageyama et al merely discloses a configuration change of a system including

plural client and printer/spooler servers. Specifically, as shown in Fig. 4, Kageyama et al discloses a printer server 300 having a printer configuration management table 7200 to manage configuration of all of the printers on a network. See, for example, column 17, lines 43-46 and Fig. 14A of Kageyama et al.

It is respectfully submitted that Kageyama et al merely teaches updating the printer configuration management table when a printer is added or removed from the system, and that Kageyama et al does not at all disclose, teach or suggest the feature of the claimed present invention whereby the administrating apparatus renews the software stored in the memory of the image outputting apparatus through the network in accordance with the obtained working information.

It is respectfully submitted, moreover, that the Examiner has cited Nakamura and Carew et al merely for the disclosure of measurements taken by a variety of sensors, and that these references do not disclose, teach or suggest the above described feature of the claimed present invention whereby an administrating apparatus renews software stored in the memory of an image outputting apparatus through a network in accordance with obtained working information.

Accordingly, it is respectfully submitted that the claimed present invention as recited in amended independent claim 24 and

claims 25-50 depending therefrom clearly patentably distinguishes over Kageyama et al, Nakamura and Carew et al, taken singly or in any combination consistent with the respective fair teachings thereof, under 35 USC 102 as well as under 35 USC 103.

RE: CERTIFIED PRIORITY DOCUMENT

It is respectfully requested that the Examiner acknowledge receipt of the certified priority document which was filed with the original application papers.

* * * * *

In view of the foregoing, entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
220 Fifth Avenue - 16th Floor
New York, NY 10001-7708
Tel. No. (212) 319-4900
DH:db
encs.